

IN THE DRAWINGS:

Please substitute the new sheet of drawings showing Figs. 4, 5 and 6 for the original sheet showing the same Figures.

REMARKS:

The Office action mailed November 29, 2005 has been received and carefully considered. Reconsideration of this application as amended hereby is respectfully requested.

An objection was entered with respect to the specification in that the reference numeral 14 was twice used. This has been corrected and a new sheet of drawings of Figs. 4, 5 and 6 with this numeral is included along with a copy of the original drawings marked in red to show the proposed change. Kindly substitute the enclosed drawings for the original drawing. Certain other changes have also been entered to correct typographical errors found in the application. None of the changes to the specification or drawings submits any new matter.

Claims 7 to 9 were objected to for depending from one another and have been amended to depend directly or indirectly from Claim 6.

Claims 1 to 6 were rejected as being obvious over Haider (6,740,089) in view of Roussouly, et al. (5,810,816).

It is readily acknowledged that the Haider reference shows a bone screw with what are commonly referred to as extensions that lengthen the pair of upward projecting arms of the head of the bone screw. The extensions reasonably include the same thread as the arms because they are integral with the arms and it would be impossible to thread a closure between the arms, if the extensions did not have the same thread and if the thread on the

extensions did not convey the closure to the thread on the arms.

Applicant's invention differs from Haider in that it provides independent and non integral tools for assisting in the guidance of a rod into the head of the bone screw. These guide tools are not originally fixedly attached or integral with the bone screw, as in Haider, but rather are selectively joined to the bone screw before seating of the rod by attachment structure and are easily removed therefrom after the rod is seated. All of the claims have been amended to better emphasize the nature of the claimed tools which are not integral with the bone screw.

It is noted that non integral tools for guiding the rod to the bone screw are known in the art (for example, see applicant's patent 5,720,751); however, there are no such tools that are known to the undersigned that are selectively joinable with the bone screw and that provide a thread or guide and advancement pathway for the closure that mates with a similar pathway on the inside of the arms of the bone screw. It is urged that such a tool is not obvious in view of Haider or the other art made of record.

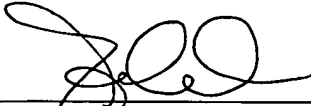
The Examiner is invited to contact the undersigned by telephone, if prosecution of this application can be expedited thereby.

Roger P. Jackson

Serial No. 10/789,134

Respectfully Submitted,

JCM:lm
PO Box 30069
Kansas City, Missouri
64112
Phone: (816) 531-3470

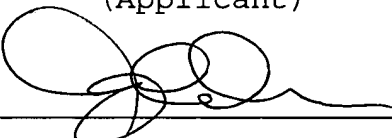


John C. McMahon
Reg. No. 29,415
Attorney

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correspondence is being deposited
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P.O. Box 1450,
Alexandria, VA 22313-1450 on
February 28, 2006.

Roger P. Jackson
(Applicant)

By



February 28, 2006

(Date of Signature)

COPY SHOWING
PROPOSED CHANGE
IN RED

Fig. 4.

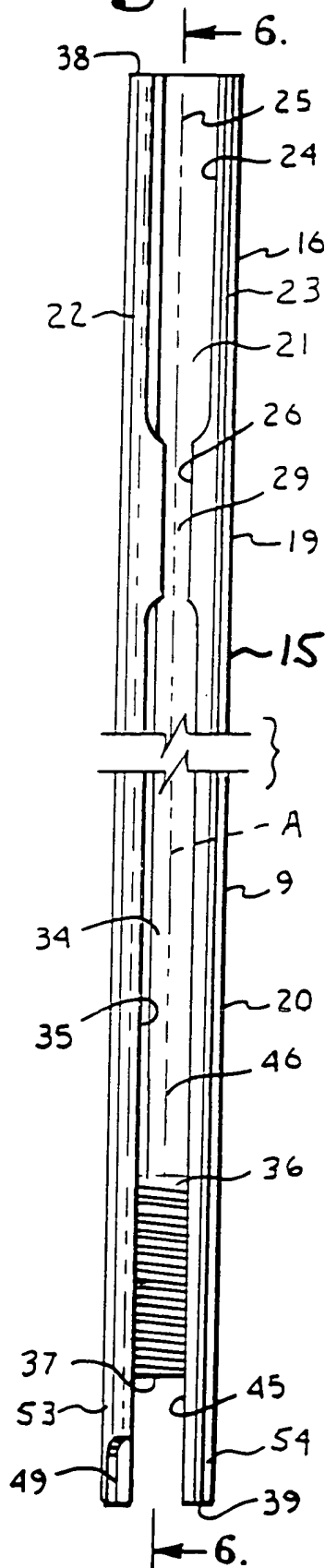


Fig. 5.

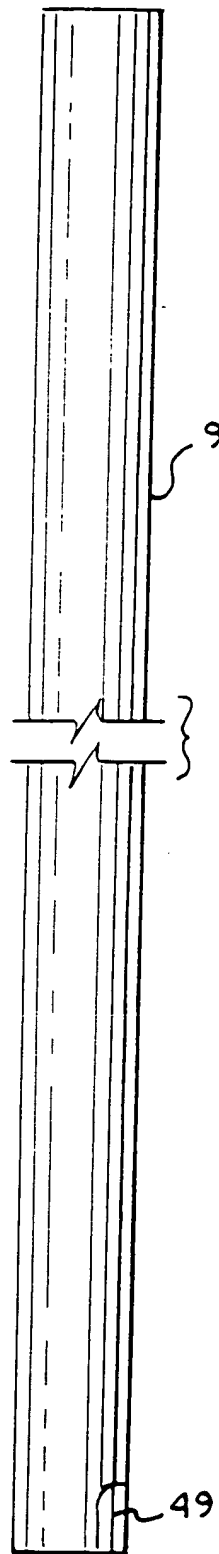


Fig. 6.

